

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 3-24, and 26 are pending in this application. Claims 1, 7-16, 20-21, and 23-24 were rejected under 35 U.S.C. § 103(a) as anticipated by U.S. patent 6,418,235 to Morimoto et al. (herein "Morimoto"). Claims 3-5, 17-19, 22, and 26 were rejected under 35 U.S.C. § 103(a) as unpatentable over Morimoto in view of U.S. patent 6,072,891 to Hamid et al. (herein "Hamid"). Claim 6 was rejected under 35 U.S.C. § 103(a) as unpatentable over Morimoto in view of U.S. patent 5,995,639 to Kado et al. (herein "Kado").

Addressing the above-noted rejections, those rejections are traversed by the present response.

Applicants initially note each of independent claims 1, 23, and 24 is amended by the present response to clarify features recited therein. Specifically, independent claim 1 now clarifies that the specific pieces of information of the registered persons are sorted "in order of increasing elapse time from the last identification of the object or in order of decreasing frequency of identification thereof". Independent claims 23 and 24 are similarly amended. Applicants note such claimed features are believed to be fully supported by the original specification, for example at page 14, lines 11-23 and page 24, lines 10-19, as examples. Applicants respectfully submit such claim features distinguish over the applied art.

As recognized in the Office Action Morimoto discloses an organism collating method and apparatus for specifying an identical person by detecting organism characteristics of a human being. The Office Action notes that "[a]lthough Morimoto does not explicitly use the word sorting, the classification can be seen as sorting, since the registered persons are focused and searched on the basis of the attribute data".¹ In response to the above-noted basis for the outstanding rejection, applicants note that in Figure 4 Morimoto performs a

¹ Office Action of July 29, 2004, page 3, lines 9-12.

same focusing and searching for every collating process. Such an operation in Morimoto is believed to clearly differ from the claims as currently written.

According to the claims as currently written, a registered information operation device sorts specific information pieces of registered persons in a storage device in an order of increasing elapsed time from a last identification of an object person or in an order of decreasing frequency of identification thereof. Further, an identification device identifies the object person from the registered persons by comparing the specific information pieces of the registered persons with the specific information piece of the object person.

Accordingly, in the claims as currently written the shorter the elapsed time from the last identification or the higher the frequency of identification, the shorter the focusing and searching process of the object person. In other words, decreasing the elapsed time from the last identification or increasing the frequency of identification decreases the focusing and searching process of that object person. A further result of the above-noted operations in the claims as currently written is that an object person having a shortest elapsed time from a last identification or a highest frequency of identification can be identified without focusing and searching.

With respect to the above-noted features Morimoto does not disclose or suggest any sorting in an order of increasing elapsed time from a last identification of an object person or in an order decreasing frequency of identification of the object person.

In such ways, applicants respectfully submit each of amended independent claims 1, 23, and 24, and the claims dependent therefrom, patentably distinguish over the teachings in Morimoto.

With respect to the rejection based on the combination of teachings of Morimoto in view of Hamid, Hamid cannot overcome the above-noted deficiencies in Morimoto, and thus that rejection is also traversed. Further, applicants respectfully submit that the combination

of teachings of Morimoto and Hamid also does not disclose features recited in further of the dependent claims.

Applicants note dependent claim 4 recites that when an identification devices fails identification between an object person and one of registered persons, the extraction device extracts another specific information piece of the object person which presents at a lower-order position than the specific information piece extracted from the object person, and then the identification device compares the another specific information piece with the specific information piece of each of the registered persons to verify the specific information piece.

With respect to such features, the outstanding Office Action cites teachings in Hamid. Specifically, the Office Action states “Hamid further discloses that upon several failures the system can request or the user can select the middle finger and repeat the process (col. 13 lines 52-55)”.² Such an operation in Hamid is directed to identifying an object using another measure upon initial failures, and in that sense such a teaching in Hamid is similar to the system in U.S. patent 5,815,252 to Price-Francis previously applied, and subsequently withdrawn. However, such a feature in Hamid differs from the claim 4 features. The operation in claim 4 extracts another specific information piece of the person present at a lower-order position than the specific information piece extracted from the object person. In other words, a specific information piece is extracted in a registered order. Hamid fails to teach or suggest such subject matter.

Moreover, the basis for the outstanding rejection indicates that combining the teachings in Morimoto and Hamid would “obtain an invention that executes retry using the same biometric information, and biometric information of a lower-order”.³ However, applicants note that according to Hamid when biometric information from an index finger is provided and registered but fails to sufficiently identify the user, further biometric

² Office Action of July 29, 2004, the sentence bridging pages 5 and 6.

³ Office Action of July 29, 2004, page 6, lines 16-17.

information is requested. The biometric information requested is selected such that a highest likelihood of identification results. In other words, a different type of biometric information is used. Such an operation in Hamid clearly differs from selecting information in a registered position, i.e. at a lower-order position, as recited in claim 4.

In such ways, applicants respectfully submit that the further combination of teachings of Morimoto in view of Hamid is further deficient with respect to dependent claim 4 as discussed above.

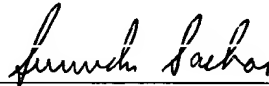
Further, with respect to the rejection of claim 6, no teachings in Kado can overcome the above-noted deficiencies of Morimoto, and thus that rejection is also traversed by the present response.

In view of these foregoing comments, applicants respectfully submit each of independent claims 1, 23, and 24, and the claims dependent therefrom, patentably distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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